

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

MELVYN D. SPURGEON and
MDS TRANSPORT, INC.,

Plaintiffs,

v.

Civil Action No. 3:05CV100
(JUDGE BAILEY)

CERTAIN UNDERWRITERS
AT LLOYD'S, LONDON,

Defendants.

ORDER GRANTING PLAINTIFF'S MOTION FOR CONTINUANCE

For good cause shown, Plaintiff's Motion for Continuance of the Evidentiary Hearing & Argument scheduled for **Friday, March 7, 2008, at 3:00 p.m.**, is **GRANTED**.

The evidentiary hearing and argument on Defendants' Motion to Strike Plaintiffs' Expert Disclosures¹ shall be **RESCHEDULED** for **Thursday, March 13, 2008, at 11:00 a.m.**, in the Magistrate Judge Courtroom, Room 433, Fourth Floor, United States Courthouse, Twelfth and Chapline Streets, Wheeling, West Virginia.

The Court will permit any out-of-town lawyers having their offices more than forty miles from the point of holding court where the hearing is scheduled to participate in the proceeding by telephone. Prior to the proceeding, any such lawyer seeking to appear by telephone, shall:

1. Inform all counsel and pro se parties of their appearance by telephone;
2. Confer with other out-of-town counsel and pro se parties to determine if they wish to appear by telephone;

¹ Doc. No. 66.

3. Advise the Court of the name of the lawyer initiating the conference call, and all such lawyers appearing by telephone; and
4. Initiate one timely conference call, with such lawyers to (304)233-1348, at the time of the scheduled proceeding.

The Clerk of the Court is directed to provide a copy of this Order to parties who appear pro se and all counsel of record, as applicable, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: March 6, 2008

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE